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**HOUSE JOINT MEMORIAL 105**

**46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003**

**INTRODUCED BY**

Ben Lujan

**A JOINT MEMORIAL**

**REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE  
APPROPRIATE INTERIM COMMITTEE TO STUDY THE QUESTION OF ENACTING  
A STATUTE OF LIMITATIONS FOR MAKING CERTAIN CHILD SUPPORT  
CLAIMS.**

**WHEREAS, the vast majority of noncustodial parents  
willingly and responsibly meet their child support obligations;  
and**

**WHEREAS, state law currently allows claims for child  
support to be filed at any time, which is necessary to ensure  
that noncustodial parents who cannot be identified or located  
meet their financial obligations; and**

**WHEREAS, in other cases, the identity and location of a  
noncustodial parent is known, but for a variety of reasons, a  
claim for support from such a noncustodial parent is not made**

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1 for many years, during which time the child of the noncustodial  
2 parent may be raised in relative financial comfort nearly to  
3 the age of majority; and

4 WHEREAS, in those cases when the identity and location of  
5 a noncustodial parent is known, a claim for child support  
6 should be filed in a timely fashion so that the child is  
7 afforded to the maximum extent possible the financial support  
8 to which the child is entitled; and

9 WHEREAS, it may be beneficial to consider a statute of  
10 limitations for filing claims for child support when the  
11 noncustodial parent's identity and location is known as long as  
12 such a statute balances the financial needs and rights of the  
13 child;

14 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
15 STATE OF NEW MEXICO that the New Mexico legislative council be  
16 requested to direct the appropriate interim legislative  
17 committee to study and make recommendations, if any, to the  
18 next regular session of the legislature on the wisdom of  
19 enacting a statute of limitations on filing for certain child  
20 support claims; and

21 BE IT FURTHER RESOLVED that copies of this memorial be  
22 transmitted to the co-chairs of the New Mexico legislative  
23 council.